AIDS TOOLKITS

HIV/AIDS AND LABOUR

How to use this toolkit...

This toolkit aims to assist Government Ministries or Departments
to develop a sector-specific response to the HIV/AIDS epidemic.
The toolkit is intended to facilitate the incorporation of
HIV/AIDS issues into existing planning processes.
The following general issues should be considered when using the toolkit:

Active commitment by leadership
- Active commitment by leadership is essential to support the process of planning and implementing an effective response to HIV/ AIDS. Whoever uses this toolkit should place the commitment of leadership high on their agenda (the Minister, Permanent Secretary and/ or Directors).

Prioritisation   of activities
- Activities must be prioritised because of the complexity of the impacts of HIV/AIDS. Responses must not be delayed unnecessarily while full details of all impacts are obtained. Data collection should be prioritised to provide the information that is most important and feasible to collect within immediate constraints. For example, to enlist leadership commitment and allow for initial planning, ballpark figures and readily available data may be appropriate. However, for more detailed planning, more detailed data collection may be required. Responses will need to be prioritised according to expected impact, and the consequences of not responding.

This document is one in a series of pamphlets targeted at Government Ministries.

The aims are:
- to assist priority sectors to identify areas where they are vulnerable to the impacts of HIV/AIDS.
- to suggest specific steps that can be taken.

Expert assistance
- Expert assistance of people with specialist knowledge of HIV/AIDS and planning skills is essential to ensure adequate understanding of HIV/AIDS impacts and effective response planning.

Generic issues
- Some of the issues covered by the toolkit need to be considered by all Government Ministries.
- The four accompanying documents are generic, and apply to all Ministries. These are:
  1) *Understanding HIV/AIDS*
  2) *Why HIV/AIDS is a Government Issue*
  3) *HIV/AIDS and Ministry Employees*
  4) *Planning Tools*.
- These should be used by the Ministry of Labour in conjunction with this document as indicated in the steps that follow on page 2.

The full Toolkit range:
Generic:
- Understanding HIV/AIDS
- Why HIV/AIDS is a Government Issue
- HIV/AIDS and Ministry Employees
- Planning Tools

Ministry and/or Department:
- HIV/AIDS and Agriculture
- HIV/AIDS and Education
- HIV/AIDS and Finance
- HIV/AIDS and Health
- HIV/AIDS and Housing and Public Works
- HIV/AIDS and Labour
- HIV/AIDS and Welfare

Below is a diagrammatic chart
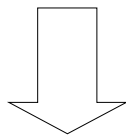*of the steps described in this toolkit.*

Step 1:
Understanding HIV/AIDS impacts in wider society,
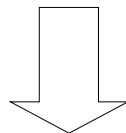and the role of Government Ministries
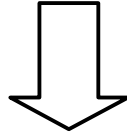
Step 2:
Identify internal impacts within
the Ministry or Department
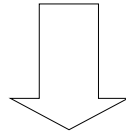
Step 3:
Identify external impacts that
influence Ministry functions

Step 4:
Identify appropriate action responses

Combined result:
A sector-specific impact assessment
and response to HIV/AIDS

Step 1:
Understanding HIV/AIDS impacts in wider society, and the role of Government Ministries

The HIV/AIDS epidemic presents a major challenge to developing countries. A first step in formulating a response to the epidemic is to understand the basic facts about HIV/AIDS and the role of Government Ministries. There are several features of HIV/AIDS which make it different from other diseases, and which need to be understood in order to formulate appropriate responses. Most transmission of HIV is preventable. Although 'technical solutions' such as making blood supply safe and treating other STDs (sexually transmitted diseases) are important to reduce the risk of transmission, it is also important to address social and economic factors that predispose to high risk situations. While there is no cure for AIDS once a person is infected with HIV, some of the impacts of the disease can be mitigated with prompt treatment.

The HIV/AIDS epidemic is more than just a health issue. Social and economic impacts within Government Ministries and in wider society necessitate government involvement both internally and externally. Typical HIV/AIDS impacts on organisations that will affect the functioning of Government Ministries include increased absenteeism, lower productivity, higher costs of labour, and skills shortages. Externally, appropriate responses within a Ministry's spheres of influence and responsibility are critical to slow the rate of new infections and to help manage the impact of existing infections. In many areas, legal and policy responses by Government Ministries are able to play a pivotal role in managing the epidemic.

Information contained in the accompanying document *Why HIV/AIDS is a Government Issue*, includes the following:
- Why HIV/AIDS is a critical issue for any organisation.
- Reasons for government involvement.
- How can governments respond?

The accompanying document *Understanding HIV/AIDS* includes the following information:
- What is HIV/AIDS?
- How is HIV transmitted?
- What are some of the important features of the HIV/AIDS epidemic?
- Is there any evidence that preventation programmes work?
- Is there prospect of a cure for HIV/AIDS?
- Is HIV/AIDS a manageable condition?
- Useful Internet resources.

Step 2:
Identify internal impacts within the Ministry or Department

Identifying internal impacts involves understanding the extent and consequences of infections among Ministry or Departmental employees. These may severely compromise the ability of any organisation to deliver, but the effect may be particularly pronounced in Government if it lacks flexibility to respond to new pressures. The impact of employee infections will be particularly severe for

Ministries in the social sector, such as Education, or Health, because of the multiplier effect of personnel infections. For example, for every teacher infected, the education of some 20-50 learners will be affected. However, the loss of key personnel in any Ministry may adversely affect the functioning of that Ministry, with a ripple effect in wider society.

Experience and research show that a Ministry's vulnerability to employee infections depends on several key areas. Step 2 of this toolkit has been designed to help guide collection of data for identifying the extent and nature of impacts of employee infections in these key areas.

Areas to consider by Ministries include the following:
- Numbers of HIV infected employees
- Absenteeism and productivity
- Recruitment and training
- Morale
- Benefits
- Gender
- Capacity to respond

Some of these areas of vulnerability may be the ultimate responsibility of a central body, such as the Ministry of Public Service Administration, and individual sectors should liaise with this Ministry.

The accompanying document *HIV/AIDS and Ministry Employees* provides an overview of areas of vulnerability to employee infections and flags data that may be needed fully to appreciate impacts.

The types of assessment needed depend on the purpose for which the data are to be used.

In the accompanying document *Planning Tools,* Chart 1 provides examples of assessments that may be appropriate, as well as suggested indicators.

Step 3:
Identify external impacts that influence Ministry functions

The Ministry of Labour is uniquely placed to impact profoundly on the HIV/AIDS epidemic, as it has the responsibility of programmes, policies and legislation that target productive age adults who are at high risk of contracting HIV and who are most affected by HIV/AIDS illness and death. The HIV/AIDS epidemic in wider society will alter the age structure of the population, reduce the pool of skilled labour and increase the number of workers and industries that require support and guidance in dealing with the effects of HIV/AIDS. Clear understanding of potential external impacts will influence whether the Ministry's response is appropriate and effective in meeting the needs of society and individuals. Some external impacts may already be experienced, but many will only be felt fully in the medium- to long-term.

The type of impact assessments and responses that are appropriate will depend on the context, in particular the stage of the epidemic and the extent to which resources have already been mobilised around HIV/AIDS.

For example:

- Is there a high rate of new HIV infection?
- Are there already substantial numbers of people ill with AIDS? What is the current size of the AIDS epidemic?
- Are regional-level HIV prevalence data and regional-level HIV projections available for use in planning?

- What priority policy areas have been identified where resources may be used most effectively, and what further data or analysis are needed to enhance the effectiveness of these?
- Are appropriate and regularly up-dated HIV/AIDS workplace policies in place in the sector?
- To what extent are the Ministry of Labour, employer organisations and trade union bodies already mobilised and committed to dealing with the epidemic?
- What is the contribution of the private sector to AIDS care, and to what extent are appropriate policies and treatment strategies already in place?
- Have sector-specific strategies to respond to HIV/AIDS been prepared?

Defining the core functions and priorities of the Ministry will be essential to prioritising areas of concern. These are the issues that are expressed in strategic plans and senior management discussions. The challenge of HIV/AIDS should be assessed, guided by the following key questions for each Ministry function and priority:

Key questions for Ministry priorities:

- How does this function or service impact on the spread of HIV?
- How will HIV/AIDS in wider society impact on this function or service?

All relevant stakeholders should be involved in planning impact assessments and identifying appropriate responses. The items in the next section provide a general idea of the scope of the impact on typical Ministry of Labour functions:

- Employment planning and efficiency and productivity
- Labour relations
- Employment equity
- Occupational health and safety
- Benefit packages
- Policy and legislation

Review the examples of the type of assessment you may need fully to appreciate impacts in these areas.

Suggested indicators are given in Chart 2 in the document *Planning Tools*.
- Complete a similar chart for areas that are relevant to your Ministry.
- Tick those areas where data may be useful for motivation or planning within your Ministry.

Employment planning and efficiency and productivity

A loss of skilled workers due to HIV/AIDS will lead to skills shortages in some areas, and a rise in labour costs. Productivity may decline in certain sectors and businesses. Some institutions, for example, mines and other industries reliant on migrant labour, are likely to be particularly affected.

For workers already HIV-infected, early and appropriate treatment can extend the length of working life and minimise productivity impacts. This extension of working years is to the advantage of the workers, their families, employers and the state. As early treatment is dependent on early disclosure of HIV status, non-discriminatory policies and access to counselling which facilitate early disclosure need to be supported. Early disclosure also gives employers the opportunity to mitigate impacts of employee infections on the organisation, such as instituting multi-skilling, planning skills development and timely recruitment of replacement staff. Training courses may be inefficient if HIV/AIDS affects recipients before they utilise skills. HIV/AIDS may result in more people that need skills development.

- What is the projected number of HIV-infected workers, AIDS illness and AIDS deaths for various sectors, industries, job categories and regions?

- What sectors and institutions are at high risk of productivity and efficiency losses? Which of these sectors are unlikely to be able to tolerate expected losses?
- What are future labour costs likely to be, given the loss of skilled workers due to HIV/AIDS?
- What are labour costs for various job categories and different planning areas likely to be?
- What are future levels of unemployment likely to be?
- What are the likely key skills shortages in the country and in specific industries?
- How can the Ministry encourage companies to assess their vulnerability to HIV/AIDS impacts and to formulate appropriate responses?
- How can employers and trade unions be encouraged to provide access to counselling and safe entry points for HIV-positive workers?
- What health facilities are available to workers? How may early and appropriate treatment of HIV-positive persons be promoted by the Ministry of Labour, in conjunction with these facilities?

Labour relations

Efforts to maintain stable and co-operative labour relations may be undermined if HIV/AIDS is poorly managed within companies. The Ministry of Labour, together with unions and employer groupings, may have a critical role in encouraging the formal and informal sectors to manage HIV/AIDS issues appropriately.

- What HIV/AIDS policy, legislation and guidelines are currently available for employers, and are there any gaps in policy?
- Are there any indications as to how well HIV/AIDS workplace policies are distributed; what sectors or regions are poorly serviced by policy and information?
- How do employers and trade unions currently approach HIV/AIDS issues in the workplace, for example, do companies still practice pre-employment screening? Are HIV-positive workers barred from further training or promotion in some firms?
- How well could internal labour relations, mediators and external consultants handle HIV/AIDS issues as they arise?

Employment equity

HIV-positive individuals have the potential to lead productive lives for many years. There is general agreement that pre-employment testing is misguided, expensive and unfair. Even in situations where pre-employment testing or pre-

training testing is not conducted, people thought to have HIV/AIDS may be discriminated against in companies. This may be through employers not employing from groups thought to be at high risk or denying HIV-positive people career advancement opportunities.

- Does current legislation ensure adequate protection for HIV-positive employees?
- Are there any mechanisms in place for implementation and monitoring of good labour practice in relation to HIV/AIDS?

Occupational health and safety

Most countries impose an obligation on employers to do all in their power to ensure that their employees are not put at risk of illness or injury because of the nature of their work. The most clear-cut examples of work-related HIV/AIDS risk are those situations where health workers are exposed to contaminated blood or blood products. Police and prison personnel may also be exposed to HIV through human bites. In these instances, employers are obligated to provide protective gloves and other equipment and education. Misconceptions about work-related transmission may also need to be cleared up to prevent workers living with undue stress and prejudice. Less clear-cut and more contentious as work-related exposure, are situations that predispose employees to high-risk sexual encounters, such as frequent and lengthy travel away from home (e.g. transport workers or construction teams).

- What are policy and protocols for preventing work-related HIV infection in hospitals and other at-risk institutions? Are these in line with best practice?

- How can employers be encouraged to decrease the exposure of employees to high-risk situations?
- How can trade unions in high-risk industries be encouraged to promote prevention and awareness initiatives?
- How can large employers and trade unions be encouraged to provide effective counselling services for HIV-positive workers?

Benefit packages

HIV/AIDS may affect the numbers claiming from any unemployment protection funds or other benefit funds. Such funds may have barriers to the chronically ill collecting benefits, and therefore discriminate against people living with AIDS.

- What criteria are used to assess HIV/AIDS disability? Are these in line with best practice? Are HIV/AIDS disability criteria widely distributed?
- Is there equity of access to any social security benefits?
- What are the current and ongoing costs of benefit claims?
- What are future costs likely to be?

Policy and legislation

Do any current or planned policies and legislation related to the sector:
- Increase or decrease the rate of spread of HIV infection?
- Provide adequate protection against discrimination for the increasing numbers of people infected or affected by HIV/AIDS?
- Require adaptation to meet new challenges to implementation because of HIV/AIDS?

Step 4:
Identify appropriate action responses

Responses in areas of internal impact

Responses to internal impacts involve preventing new infections among employees and reducing impacts of existing infections.

Key questions for Ministries are:
- How can employee infections be prevented?
- What can be done about the impacts of existing employee infections, and future infections that are not avoided?

Actions that can be taken by Ministries include those related to:

- Prevention of new infections
- Absenteeism and productivity
- Recruitment and training
- Morale
- Benefits
- Gender
- Capacity to respond

Where actions are the ultimate responsibility of a central agency, such as a Department or Ministry of Public Service and Administration, the Ministry of Labour should liaise with this agency.

The accompanying document *HIV/AIDS and Ministry Employees* provides an overview of some possible responses.

All key stakeholders must be encouraged to identify and plan projects related to particular action responses. It is important to prioritise responses that are most critical and feasible in your specific situation.

Examples of types of responses or projects that may be undertaken are provided in Chart 3 of the accompanying document *Planning Tools*.

Responses in areas of external impact

Responses to external impacts include those aimed at assisting the Ministry to continue to achieve goals and fulfil its functions in the context of changed needs in society. It also shows how the Ministry can take action to reduce HIV spread.

As for the impact assessments described in Step 3, the type of responses needed will be guided by the Ministry's core functions and priorities at a particular time. The challenge of HIV/AIDS should be assessed, guided by the following key questions for each Ministry function and priority:

Key questions for Ministry priorities:

■ How can these services impact on HIV spread in the wider community?
■ What can be done about the impacts of HIV/AIDS on these sector functions?

The items in the next section provide a general idea of the scope of possible responses by Ministries of Labour. Some responses may actively address impacts, while others may include more detailed research and planning of specific issues. It is important to prioritise responses that are most critical and feasible in your specific situation. Appropriate participation of key stakeholders is likely to be important for effective prioritisation and buy-in.

Review each of these areas of action and consider which may be relevant to your Ministry.

Suggested indicators are given in Chart 2 in the document *Planning Tools*.

■ Complete a similar chart for areas that are relevant to your Ministry.
■ Tick those areas where data may be useful for motivation or planning within your Ministry.

Employment planning and efficiency and productivity

■ Use projections of HIV prevalence, illness and AIDS deaths by sector and/or job category for planning or advocacy.

■ Use labour cost projections in planning if appropriate.

■ Use skills audits in planning employment and training. Expand skills development programmes to meet future demands.

■ Ensure policies encourage the use of local rather than migrant labour.

■ Together with stakeholders, develop policy and legislation that encourage employers and trade unions in vulnerable sectors to conduct effective workplace HIV prevention programmes.

■ Disseminate information to employers in most vulnerable sectors or organisations concerning how organisations may be vulnerable to HIV/AIDS impacts.

■ Disseminate resources and best practice case-studies, which describe actual responses to HIV/AIDS by some companies. Case-studies may include:
  □ HIV prevention initiatives
  □ Managing ill-health
  □ Human resource development and industrial relations
  □ Employee benefits and survivor support
  □ Monitoring and planning

■ Plan innovative non-coercive ways to encourage all companies, or companies within specific sectors, to respond to HIV/AIDS.
  □ Introduce a Ministry award for best practice, arrange media coverage and appropriate publicity.
  □ If appropriate, liaise with other Government Ministries to introduce a requirement that companies adhere to minimum standards of good practice in HIV/AIDS to qualify for government contracts.

■ Liaise with appropriate stakeholders to explore ways of awarding tax relief for priority HIV/AIDS responses that exceed what would ordinarily be expected. For example, such responses may include actively assisting communities with orphan support or contributing to the financing and running of terminal support and home-based care support centres.

- Facilitate the dissemination of best practice treatment protocols for HIV/AIDS illness to front-line health facilities used by workers.

- Liaise with other departments to establish functional criteria for HIV/AIDS illness and disability and facilitate dissemination of these criteria.

Labour relations

- Disseminate HIV/AIDS codes of practice to employer groupings, employers and trade unions. Concentrate on sectors or regions that are poorly serviced by information.

- Organise training courses for labour relations mediators in HIV/AIDS issues if applicable.

Employment equity

- Develop pilot mechanisms to monitor good labour practice in relation to HIV/AIDS.

- Consider ways to encourage female participation in the labour force.

Occupational health and safety

- Ensure that best practice procedures for preventing work-related exposure to HIV and procedures for HIV prophylaxis in the event of exposure are in place in relevant institutions.

- Amend policies and legislation to encourage the use of local rather than migrant labour where this is feasible.

- Encourage trade unions in high-risk sectors to conduct HIV prevention programmes; assist unions to source condoms and to develop educational materials.

- Together with relevant stakeholders, facilitate the development of HIV prevention through peer educator strategies in workplaces; mobilise resources for developing training materials such as videos, slide shows and resource directories that may be used by peer educators.

- Encourage employers to provide counselling services for HIV-positive workers where feasible.

Benefit packages

- Facilitate the development and dissemination of functional criteria for HIV/AIDS disability.

- Ensure any barriers to the chronically ill collecting benefits are removed.

- Consider ways of protecting informal sector labour that may be at risk of HIV but have poor access to benefits.

- Plan for future costs of unemployment insurance where relevant.

Is it appropriate for the Labour Ministry to mobilise the Labour sector in any of the above areas of response?

Appendix 1:
Examples of data that may be useful to drive sectoral AIDS responses

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- Best practice examples of HIV prevention and management responses relevant to the Ministry of Labour have been described in: *Best practices. Company actions on HIV/AIDS in Southern Africa*, Loewenson R with Michael K, Whiteside A, Hunter L and Khan N. OATUU, supported by UNAIDS, February 1999.